

PUBLIC SUBMISSION

As of: October 28, 2010

Received: October 18, 2010

Status: Posted

Posted: October 19, 2010

Tracking No. 80b71e8e

Comments Due: November 08, 2010

Submission Type: Web

Docket: EPA-R03-OW-2010-0736

Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001

Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

Document: EPA-R03-OW-2010-0736-0064

Comment submitted by Lawrence Q. Hutchins, Quail's Nest Industries

Submitter Information

Submitter's Representative: Lawrence Q. Hutchins

Organization: Quail's Nest Industries

General Comment

You have to recognize the difference between Forested Land and non-forested in relation to TMDLs.

Forests and TMDL

Forests are among the lowest pollution loads per acre of any land use (On natural forests, most of this load is the result of atmospheric deposition). But the vast number of acres in the Bay watershed – more than 70% of PA's Bay watershed acres are forest - means that forests are still a significant source of pollution to the Bay. Harvested forests contribute a higher pollution load per acre than natural forests, but because of the low number of acres impacted annually, it is a minor (1-2%) contributor to Pennsylvania's overall pollution load. Regardless, future years will see state actions to reduce the pollution load from harvesting, through better accounting for voluntary usage of BMPs and perhaps additional regulation.

An issue for concern is that the TMDL and Pennsylvania's WIP currently equitably distribute the required load reductions among sector sources. But the majority of the forest sector load comes from natural forest acres, and is unable to be reduced through land-management activities (Some reductions can be achieved via additional federal and state clean air regulations). As a result, it is impossible for the forest sector to meet this current load reduction goal - even if all timber harvesting was eliminated in the state.

Issues:

- EPA must allow Pennsylvania to meet its gross state allocation, without meeting specific sector allocations.
- The load targets for forests must be reduced and redistributed to better reflect the realities of how forests contribute to emissions to the Bay.
- Pennsylvania's WIP needs to include better mechanisms to account for the use of non-cost share, voluntary BMPs by forest landowners and harvesters.
- Forest landowners and harvesters likely require access to incentives similar to those available to other sectors